CHAPTER 17

Buildings and Lands Generally

**SECTION 4‑17‑10.** Property conveyed to inhabitants, committee, or other person for use of county deemed to be property of county.

Real and personal estate conveyed prior to September 26 1942 by any form of conveyance to the inhabitants of a county or district or to a committee, commissioners or other persons or existing on said date in a county or district for the use and benefit of such county or district shall be deemed to be the property of such county. And such conveyance shall have the same force and effect as if made to such county by its corporate name.

HISTORY: 1962 Code Section 14‑601; 1952 Code Section 14‑601; 1942 Code Section 3022; 1932 Code Section 3022; Civ. C. ‘22 Section 714; Civ. C. ‘12 Section 631; Civ. C. ‘02 Section 570; G. S. 438; R. S. 497; 1868 (14) 134.

LIBRARY REFERENCES

20 C.J.S., Counties Sections 165 et seq.

**SECTION 4‑17‑20.** Acquisition, restoration and preservation of historic property.

The governing bodies of all counties in the State may accept for their counties by gift, donation, or devise and may acquire by purchase or condemnation action any real property of historical value by reason of any war in which the United States of America or any section thereof participated or by reason of any other historical event.

Upon acquiring the property, any governing body shall preserve it and, when it considers it practicable, shall restore it so that the historical value of the property is at its maximum. It shall do other desirable things relating to the property to preserve and enhance its historical value. The property referred to in this section shall include, but not be limited to, battlefields, ruins of forts, and remains of military operations during any war.

HISTORY: 1962 Code Section 14‑602; 1952 Code Section 14‑602; 1942 Code Section 3884‑1; 1938 (40) 1936; 1987 Act No. 173 Section 6, eff nine months from approval by Governor (approved by Governor on June 30, 1987).

Effect of Amendment

The 1987 amendment deleted a reference to condemnation of land under the provisions of former Article 13 of Chapter 15 of Title 58 dealing with condemnation by railways and canals of lands or rights of way, and made grammatical changes.

CROSS REFERENCES

Procedures for the condemnation of property, see the Eminent Domain Procedure Act, see Sections 28‑2‑10 et seq.

RESEARCH REFERENCES

Encyclopedias

S.C. Jur. Eminent Domain Section 8, Examples of Permissible Public Use.

S.C. Jur. Eminent Domain Section 15, Counties.

**SECTION 4‑17‑30.** County property exempt from attachment, levy and sale.

All county poor farms and poorhouses and hospitals, courthouses and jails and all other public property of every kind or description actually used as such are forever exempt from attachment, levy and sale on account of any judgment, lien or claim whatsoever against the county to which they or any of them belong.

HISTORY: 1962 Code Section 14‑603; 1952 Code Section 14‑603; 1942 Code Section 3024; 1932 Code Section 3024; Civ. C. ‘22 Section 716; Civ. C. ‘12 Section 633; Civ. C. ‘02 Section 572; G. S. 440; R. S. 499; 1874 (15) 686.

**SECTION 4‑17‑40.** State flag shall be displayed on courthouse.

The State flag shall be displayed daily, except in rainy weather, from a staff upon every courthouse. The officer in charge of each courthouse shall purchase a suitable flag and cause it to be displayed, the expense to be borne out of the funds provided for maintenance of the courthouse.

HISTORY: 1962 Code Section 14‑604; 1952 Code Section 14‑604; 1942 Code Section 5703; 1932 Code Sections 5703, 5705; Civ. C. ‘22 Sections 2772, 2773; Civ. C. ‘12 Sections 1842, 1843; 1910 (26) 753; 1922 (32) 779.

**SECTION 4‑17‑50.** Public officers may insure public buildings.

Subject to the provisions of Sections 10‑7‑10 to 10‑7‑230 the public officers having by law the care and custody of town, village, city or county buildings may insure the same at the expense and for the benefit of the town, village, city or county owning the same.

HISTORY: 1962 Code Section 14‑605; 1952 Code Section 14‑605; 1942 Code Section 3023; 1932 Code Section 3023; Civ. C. ‘22 Section 715; Civ. C. ‘12 Section 632; Civ. C. ‘02 Section 571; G. S. 439; R. S. 498; 1868 (14) 32, 134.

CROSS REFERENCES

Insurance on public buildings and property, see Section 10‑7‑10 et seq.

**SECTION 4‑17‑60.** Alterations and addition in courthouse or jail.

The governing bodies of the several counties shall make any alterations and additions deemed advisable, or which may become necessary, to any courthouse or jail built in the several counties.

HISTORY: 1962 Code Section 14‑606; 1952 Code Section 14‑606; 1942 Code Section 1955; 1932 Code Section 1955; Cr. C. ‘22 Section 937; Cr. C. ‘12 Section 939; Cr. C. ‘02 Section 653; G. S. 2705; R. S. 540; 1841 (11) 156.

LIBRARY REFERENCES

20 C.J.S., Counties Section 167.

NOTES OF DECISIONS

In general 1

1. In general

Nothing in this section [Code 1962 Section 14‑606] tends to make a county board of commissioners independent of the legislature in such matters as contracting liability for the remodeling of the county courthouse in an amount in excess of the legislature’s appropriation therefor. Beacham v. Greenville County (S.C. 1950) 218 S.C. 181, 62 S.E.2d 92.

**SECTION 4‑17‑70.** Wilful injury to courthouse or jail.

It is unlawful for a person to wilfully injure or destroy any part of a courthouse or jail in this State or its interior.

A person who violates the provisions of this section is guilty of a misdemeanor and, upon conviction, must be fined in the discretion of the court or imprisoned not more than three years.

HISTORY: 1962 Code Section 14‑607; 1952 Code Section 14‑607; 1942 Code Section 1177; 1932 Code Section 1177; Cr. C. ‘22 Section 67; Cr. C. ‘12 Section 942; Cr. C. ‘02 Section 656; G. S. 2708; R. S. 543; 1827 (6) 321; 1993 Act No. 184 Section 129, eff January 1, 1994.

Effect of Amendment

The 1993 amendment rewrote this section so as to change the maximum term of imprisonment to conform to the classification established for each offense.

NOTES OF DECISIONS

In general 1

1. In general

Cited in Singletary v. Wilson (S.C. 1939) 191 S.C. 153, 3 S.E.2d 802.